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December 1, 2021

VIA CM/ECF

Hon. Jesse M. Furman
Thurgood Marshall United State Courthouse
40 Foley Square
Courtroom 1105
New York, NY 10007

RE: IBM Arbitration Agreement Litigation, C.A. No. 21-CV-6296 (JMF)

Dear Judge Furman:

Pursuant to Your Honor's Individual Rule 7(C)(ii), Plaintiffs seek permission to file their Reply in Support of Their Motion for Summary Judgment under seal, along with the accompanying Declaration of Shannon Liss-Riordan.

As discussed during the hearing of November 24, 2021, we do not believe that any of these documents should remain sealed or redacted. Nevertheless, we are cognizant of Your Honor's order. We thus request that the Court direct the parties to confer in order to narrow the portions of the brief and accompanying documents that IBM contends are confidential and should remain redacted or under seal for the time being, so that Plaintiffs can then (as we did with our original motion) publicly file those portions that IBM does not contend are confidential.

Sincerely,

/s/ Shannon Liss-Riordan
Shannon Liss-Riordan

Attorney for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2021, a true and accurate copy of the foregoing document was filed via this Court's CM/ECF system.

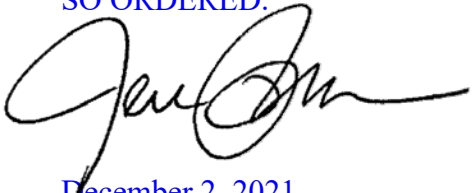
/s/ Shannon Liss-Riordan
Shannon Liss-Riordan

Insofar as Paragraph 7 of the Court's Individual Rules and Practices in Civil Cases already directs the parties to "meet and confer . . . in advance to narrow the scope of . . . request[s]" to seal, Plaintiffs' motion is DENIED in part as moot. After conferring with Defendant's counsel, Plaintiffs shall follow the procedures laid out in Paragraph 7(C)(ii)-(iii) of the Court's Individual Rules regarding filing sealed documents or redacted documents.

Plaintiffs' counsel is also reminded to comply with Paragraph 7(C)(i) of the Court's Individual Rules, which provides: "When a party seeks leave to file a document under seal or in redacted form on the ground that an opposing party or third party has requested it, the filing party shall notify the opposing party or third party that it must file, within three days, a letter explaining the need to seal or redact the document."

The Court will address this motion to seal once Defendant IBM has filed the aforementioned letter. Going forward, the parties are reminded to consult and comply with the Court's Individual Rules regarding redactions and sealed filings.

SO ORDERED.



December 2, 2021